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| 1085/4 | 76-0596 | 11-24-76 | 3 | 442 | 1 | | | 185 | 8509 | | 76-0596-B |
|--------|---------|----------|---|-----|---|--|--|-----|------|--|-----------|

PLAINTIFFS

JOHN D. MAXWELL

DEFENDANTS

11-15-77
THE WILLIAMS COMPANIES, and
subsidiary thereof, AGRICO
CHEMICAL COMPANY, and
ROY SPACE

CAUSE

42 USC Sec. 1981 - employment discrimination on the basis of race.

ATTORNEYS

Charlie Phipps, Jr.
Suite 108 - Liberty Towers Bldg.
1502 S. Boulder
Tulsa 74119
587-0114

J. Payrick Cremin (all defs.)
Hall, Estill, Hardwick, Gable,
Collingsworth & Nelson
805 NBT Building 4100 Bk of OK Tower
Tulsa 74103 One Williams Center
585-9161

587-2677

☐ CHECK
HERE
IF CASE WAS
FILED IN
FORMA
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FILING FEES PAID

DATE

RECEIPT NUMBER

C.D. NUMBER

STATISTICAL CARDS

CARD DATE MAILED

JS-5 12-1-76

JS-6 1-1-78

| DATE | NR. | PROCEEDINGS |
|---------------|-----|---|
| <u>1976</u> | | |
| 11-24 12-3 | 1. | Complaint, filed. Summons issued. rm Summons, ret. & filed: served Roy Space & Agrico Chem. Co., Tulsa, Ok. on 11-29-76; served The Williams Company by serving Corp. Co., Ok. Cty on 11-29-76. (USM \$10.00)g |
| 12-17 | 2. | Def's. motions to dismiss complaint, or alternatively, to make more definite and certain, filed. rm |
| 12-17 | 3. | Memorandum brief of def's. in support of motions to dismiss or make more definite and certain, filed. rm |
| 12-17 | 4. | Affidavit of Barry J. Galt, filed. rm |
| 12-20 | MO: | Ordered by the Court that pltf. is granted 10 days in which to respond to motion to dismiss, or in alternative, to make more definite and certain of defendants. (AEB-J)rm-letter |
| 12-30 | 5. | Petitioner's answer to respondents' motions to dismiss or in the alternative to make more definite and certain, filed.s |
| 12-30 | 6. | Petitioner's brief in ans. to respondents' brief in support of motions to dismiss or in the alternative to make more definite and certain, filed.s |
| <u>1977</u> | | |
| 3-21 | 7. | Order, filed, that the portion of defts' mot. to dismiss directed at the claim under 42 USC §1981 should be overruled. As to improper service, the Court overrules the mot. to dismiss as to def't. Agrico Chemical Co., and directs that summons be reissued by the pltf. w/in 10 days from the date of this order. Further, that defts' mot. for more definite statement is overruled. (AEB-J)k cps mld |
| 3-29 | | Summons issued as to Agrico Chemical Co.k |
| 3-31 | 8 | Stipulation that Respondents time to answer with respect to the Compl. is extended to 4-20-77. fld. O to J. ho |
| 4-4 | | Order fld. as part of Stipulation granting Respondents an ext. of time until 4-20-77 to answer with respect to the Complaint. (AEB-J) cps mld ho |
| 4-5 | | Summons, ret. & filed: served Agrico Chemical Co. by serving The Corporation Co., Ok. City, on 4-4-77. (USM \$4.00)g |
| 4-20 | 9 | Answer of Respondents, The Williams Companies, Agrico Chemical Co., and Roy Space. fld. ho |
| 6-14 | MO: | Parties are directed to hold PT conf. on or before 7-26-77 and file PT Order on or before 8-2-77. (AEB)k ntc mld |
| 7-19 | 10 | Respondants notice to take depo. of John D. Maxwell on 7-25-77 in Tulsa. fld. ho |
| 8-11 | 11 | Petitioner mot. for ext. of time to file PT0. fld. ho O to J. |
| 8-15 | 12 | Order, filed, granting pltf. until 9-7-77 to file pre-trial order. (AEB-J)k cps mld |
| 8-30 | | Depo. of John D. Maxwell, taken on behalf of the Respondents before Donald R. Lindquist on 7-26-77 CSR, w/fees of \$171.00 pd. by Resp. fld. ho |
| 9-28 | 13 | Pre-trial Order, filed. (AEB-J)k cps mld |
| 10-13 | MO: | Case set for non-jury trial on 11-21-77, at 10:00 A.M. (AEB-J)b nts cert w/affid. |
| 11-10 | 14 | Stipulation for dismissal of Williams Co. fld. ho O to J. |
| 11-10 | — | Order as part of Stip. (pldg. #14), granting dismissal of pltf's action against def't. The Williams Companies without prejudice, filed & entered. (AEB-J)v cps mld |

CIVIL DOCKET CONTINUATION SHEET

| | | | |
|-----------------|--|----------------------|------------------------------|
| PLAINTIFF | | DEFENDANT | DOCKET NO. <u>76-C-596-B</u> |
| JOHN D. MAXWELL | | AGRICOL CHEMICAL CO. | PAGE ____ OF ____ PAGES |

| DATE | NR. | PROCEEDINGS |
|-------|-----|--|
| 11-17 | MO: | By the agreement of the parties, IT IS ORDERED that this case be stricken from non-jury docket for 11-21-77. IT IS FURTHER ORDERED that this case be referred to Mag. Robert Rizley for non-jury trial, pursuant to Rule 53 for recommended Findings of Fact & Conclusions of law in conformity with M-128 & T. 28 USC 636. (AEB-J)b nts mld |
| 11-17 | MO | Case set for pre-trial hearing before the Mag. on 11-28-77 at 2:30 p.m. (RSR-Mag)k ntc by KT |
| 11-17 | 15 | Defts. trial brief. fld.ho |
| 11-17 | 16 | Defts. affid. of J. Patrick Cremin concerning the pre-marked exhibits fld. ho |
| 11-28 | Min | Case called for pre-trial hrg. before Mag. Parties represented. Mag. sets case for non-jury trial on 12-15-77 at 10:00 a.m. (RSR-Mag)k |
| 11-30 | MO | Case set for non-jury trial on 12-15-77 at 10:00 a.m. (RSR-Mag)k ntc by KT |
| 12-15 | Min | Case called for non-jury trial. Parties represented. Pltf. files mot. to dismiss in Open Court. Mag. recommends mot. to dismiss be sustained with prejudice, each party to bear its costs. Deft. counsel directed to prepare formal Order. (RSR-Mag)k |
| 12-15 | 17. | Pltf's motion to dismiss, filed in Open Court.k |
| 12-30 | 18. | Order, filed & entered, that the cause of action & complaint are dismissed with prejudice as to all defts. w/ all parties to bear their own costs. (AEB-J)k cps mld |

PLAINTIFF

DOCKET NO. _____

PAGE _____ OF _____ PAGES

DATE _____

NR.

PROCEEDINGS